

TYPE II DEVELOPMENT & ENVIRONMENTAL REVIEW, STAFF REPORT & DECISION

Form DS1401



Project Name: CLARK LIGHT INDUSTRIAL

Case Numbers: PSR2004-00037; CRA2004-00004; SEP2004-00107;
ARC2004-00049; VAR2004-00013

Location: Northwest corner of NE 4th Plain Road & NE 134th Avenue

Request:

1. Site plan approval to construct an approximate 2,500 square foot industrial building on approximately .28 acres in the ML Zoning District
2. A 25% variance to the rear and side yard setbacks

Applicant: Darrell Clark
16017 NE 79th Way
Vancouver, WA 98682
Phone – (360) 892-3626

Applicant: LDC Design Group
Attn: Bob Carpenter
8513 NE Hazel Dell Avenue
Vancouver, WA 98665
Phone – (360) 573-0370, **Fax** - (360) 573-0390
E-mail - carpenterb@ldcdesign.com

Owner: Larry & Kelly Daniels
14503 NE 328th Circle
Battle Ground, WA 98604

RECOMMENDATION

Approved, subject to conditions

Team Leader Initials: _____ **Date Issued:** _____

County Review Staff:

	<u>Name</u>	<u>Phone Ext.</u>	<u>E-mail Address</u>
Planner:	Richard Daviau	4895	richard.daviau@clark.wa.gov
Engineer:	Paul Knox	4910	paul.knox@clark.wa.gov
Engineer: (Trans. Concurrency)	Shelley Oylear	4354	shelley.oylear@clark.wa.gov
Team Leader:	Susan Ellinger	4272	susan.ellinger@clark.wa.gov
Eng. Supervisor:	Richard Drinkwater, P.E.	4492	richard.drinkwater@clark.wa.gov

Legal Description: Tax Lot 47,99 (158621) in the Northwest quarter of Section 11, Township 2 North, Range 2 East of the Willamette Meridian

Comp Plan Designation: Light Industrial

Zoning: ML

Applicable Laws:

Clark County Code Sections: 40.230.080 (Industrial Districts), 40.320 (Landscaping & Screening), 40.340 (Parking & Loading), 40.350 (Transportation & Circulation), 40.360 (Waste/Recycling), 40.370 (Sewer & Water), 40.380 (Stormwater & Erosion Control), 40.500 (Procedures), 40.510.020 (Type II Process), 40.520.040 (Site Plan Review), 40.550.020 (Variances), 40.570 (SEPA), and 40.610 & 40.620 (Impact Fees)

Neighborhood Association/Contact:

Sifton, **Contact** - Steve Hamilton, **Address** – 7616 NE 126th Avenue, Vancouver, WA 98682, **Phone** – (360) 514-8289, **E-mail** - 4hambone@attbi.com

Time Limits:

The application was submitted on July 1, 2004 and determined to be fully complete on August 16, 2004. The applicant placed the project on hold for two week to revise the CARA permit. The County requirement for issuing a decision within 78 days lapses on November 16, 2004. The State requirement for issuing a decision within 120 calendar days lapses on December 28, 2004.

Vesting:

An application is reviewed against the subdivision, zoning, transportation, stormwater and other land development codes in effect at the time a fully complete application for preliminary approval is submitted. If a pre-application conference (PAC) is required, the application may earlier contingently vest on the date the fully complete PAC is filed. Contingent vesting requires that a fully complete application for substantially the same proposal is filed within 180 calendar days of the date the county issues its pre-application conference report.

The proposed development qualified for contingent vesting at the pre-application stage and a fully complete application was filed within 180 calendar days from the issuance of the pre-application conference report. Therefore, the application is vested on the pre-application submittal date of April 2, 2004. The application is vested for transportation concurrency on August 3, 2004.

Public Notice:

Notice of application and likely SEPA Determination of Non-Significance (DNS) was mailed to the applicant, the neighborhood association, property owners, and agencies within 300 feet of the site on August 30, 2004.

Public Comments:

The County has not received written comments to date regarding the proposal.

Project Description/Background

The subject site is currently vacant with mostly old pavement and gravel. The applicant seeks approval of a 2,500 square foot industrial building for a likely auto repair use or other light industrial/manufacturing use. The applicant also requests a 25% administrative variance for rear and side setback requirements.

Issues and Staff Analysis

Staff first analyzed the proposal in light of the 16 topics from the Environmental Checklist (see list below). The purpose of this analysis was to identify any potential adverse environmental impacts that may occur without the benefit of protection found within existing ordinances.

- | | |
|---------------------------------|--|
| 1. Earth | 9. Housing |
| 2. Air | 10. Aesthetics |
| 3. Water | 11. Light and Glare |
| 4. Plants | 12. Recreation |
| 5. Animals | 13. Historic and Cultural Preservation |
| 6. Energy and Natural Resources | 14. Transportation |
| 7. Environmental Health | 15. Public Services |
| 8. Land and Shoreline Use | 16. Utilities |

Then staff reviewed the proposal for compliance with applicable code criteria and standards in order to determine whether all potential impacts will be mitigated by the requirements of the code.

Staff's analysis also reflects review of agency and public comments received during the comment period, and knowledge gained through a site visit.

Major Issues:

Only the major issues, errors in the development proposal, and/or justification for any conditions of approval are discussed below. Staff finds that all other aspects of this proposed development comply with the applicable code requirements, and, therefore, are not discussed below.

LAND USE:

Finding 1 – Permitted Uses

Pursuant to CCC Table 40.230.080-1, the proposed industrial use is permitted outright in the ML Zone, subject to site plan review.

Finding 2 – Site Plan

The applicant has submitted site and landscape plans to identify compliance with lot, setback, parking, landscaping, and other standards of CCC 40.520.040. The following are comments regarding the site and landscape plans:

- a. The submitted plan identifies a five-foot wide handicap access aisle. Because there is only one handicap parking space, the access aisle for that space needs to be van accessible which is eight-feet in width. The final site plan should identify an eight-foot handicap access aisle for the handicap parking space. (See Condition A-1)

- b. It appears the proposed storm drain trench/catch basin is located underground; however, it is not clear on the submitted site plan. The final site plan should clearly identify if the proposed storm drain trench and catch basin are located underground (See Condition A-2)
- c. The applicant has proposed a five foot pedestrian access from NE 134th Street. If the pedestrian route of travel crosses vehicle maneuvering, a crosswalk is required. The standard requires striping as well a different paving type, elevation change, or other acceptable method of the notifying drivers of a crosswalk pursuant to CCC 40.340.020. The final site plan should identify striping as well a different paving type, elevation change, or other acceptable method of the notifying drivers of a crosswalk for pedestrian access from NE 134th Street. (See Condition A-3)
- d. L2 Landscape Standards are required along NE 134th Avenue and NE Fourth Plain Road. The applicant has submitted a landscape plan that identifies compliance with the required landscaping. Pursuant to ML standards, 20 percent of the site area needs to be landscaped. The applicant has verbally indicated that the site can meet this percentage requirement, but the plan does not identify compliance. The final site plan shall identify that the site meets the 20 percent landscape requirement. (Condition A-4)
- e. Pursuant to CCC 40.360, solid waste/recycling enclosures are required to be screened to an F2 standard; however, the plan does not identify compliance with this standard. The final site plan shall identify screening of the solid waste/recycling enclosures to an F2 standard. (Condition A-5)

Finding 3 – Administrative Variance

The applicant has requested a variance for a 25% reduction of the side and rear setbacks. The criteria for an administrative variance are listed in CCC 550.020 A3. The following includes staff's response to those criteria:

- a. Approval of the proposed variance will reduce the setback to 11.25 feet along the west property line and to 7.5 feet along the north property line. The difference in setback may be noticeable, but should not substantially detract from the livability or appearance of the area if impacts are properly mitigated. Staff finds that L3 Landscape Standards along the north and west property lines would adequately mitigate impacts from the proposed variance.
- b. Administrative variances are requested along the north and west property lines so a cumulative review of impacts is needed. Staff finds that the cumulative effect of both variances will not be a factor because the reductions in setbacks along the two property lines affect two different properties.
- c. Staff finds that the difference in setback between along the north and west property lines will not be an adverse impact because the applicant will be required to provide landscaping in excess of the code. L3 Landscaping will provide an adequate screen to the adjacent properties. The applicant has verbally agreed to provide this landscaping.

L3 Landscape Standards consist of one tree every 30 feet, six foot high screen shrubs, and ground cover. The shrubs may be replaced by a six foot high fully sight-obscuring fence. Staff further finds that because the building wall will provide some screen itself, the landscaping can be reduced to an L2 Standard in front of building walls. (See Condition A-6)

- d. This variance does not affect pedestrian or vehicular access to the site; therefore, this criterion does not apply.

Based on the above findings and condition A-6, staff supports the proposed administrative variance because the proposed development will adequately screen any impacts that the proposed variance creates.

Finding 4 – Lighting

The applicant should ensure that lighting from the proposed development does not cast significant light or glare off-site on adjacent properties or public roadways. (See Condition E-2)

Finding 5 - Signs

For all proposed advertisement signs, the applicant shall make application for a separate sign permit site (see Condition E-11).

ARCHEOLOGICAL:

Finding 6

The proposal is located within a high probability area for containing cultural resources. An archaeological predetermination was completed for the site by the County Archaeologist which included walk over meandering transects and shovel test probe. No cultural items were found. Archaeological Services of Clark County recommends that no further archaeological work is necessary. If any cultural resources are discovered in the course of development construction, the Office of Archaeology and Historic Preservation in Olympia and Heritage Trust of Clark County should be notified. Failure to comply with these State requirements may constitute a Class C felony, subject to imprisonment and/or fines (see Condition E-9).

TRANSPORTATION:

Finding 7– Circulation Plan

The evidence submitted with the application shows that there is no feasibility of providing additional cross roads within and in the vicinity of this development.

Finding 8 – Roads

The site abuts NE Fourth Plain Road (SR 500) to the south. Right of way dedication and frontage improvements were provided with the county road project, and so will not be required of the proposed development.

A state highway, SR 500 (NE Fourth Plain Road) abuts the project to the south. Frontage improvements on SR 500, if required, are subject to the requirements of the Washington State Department of Transportation, WSDOT, (See Condition A-7)

The applicant proposes partial-width improvements along NE 134th Avenue in accordance with the requirements of the county classification of this roadway as a 2-

lane secondary industrial road. The minimum frontage improvements along this road in accordance with CCC Table 40.350.030-6 and the Standard Details Manual, Drawing #22, include:

- A minimum half-width right-of-way of 30 feet
- A minimum half-width roadway of 19 feet
- Curb and gutter
- Minimum detached sidewalk width of 6 feet

Staff noted in the pre-application comments that the existing half-width roadway of 18 feet would be adequate. In accordance with CCC 40.350.030(B)(15), the pavement structural section shall comply with that required of a minor arterial road. (See Condition A-8)

Finding 9 – Access

The applicant proposes to close an existing driveway on NE Fourth Plain Road (SR 500) and access the site from a 24-foot wide driveway located at the site's northernmost point. This complies with the county's general access management policy of taking access from the adjacent street of lowest classification.

All driveways shall comply with the Transportation Standards and the requirements of the Fire Marshal. The Fire Marshal's requirements shall take precedence when they are more stringent than the Transportation Standards.

Finding 10 – Sight Distance

Driveways and intersections shall have unobstructed sight distance triangles in accordance with the provisions of Section CCC 40.350.030(B)(8). A preliminary sight distance certification was submitted with the application. The corner sight distances shall remain unobstructed after completion of the project. (See Condition D-2)

Finding 11 – Pedestrian/Bicycle Circulation

All sidewalks, driveway aprons, trails and road intersections shall comply with the Americans with Disabilities Act.

Conclusions

Based upon the development site characteristics, the proposed transportation plan, the requirements of the County's transportation ordinance, and the findings above, staff concludes that the proposed preliminary transportation plan does meet the requirements of the county transportation ordinance.

STORMWATER:

Finding 12 - Applicability:

The Stormwater and Erosion Control Ordinance CCC 40.380, adopted July 28, 2000 (amended July 30, 2002 and September 17, 2002), applies to development and/or redevelopment activities that result in 2,000 square feet or more of new impervious surface; and all land disturbing activities, except those exempted in Section 40.380.030.

The project will create more than 2,000 square feet of new impervious surface, and it is a land disturbing activity not exempted in Section 40.380.030. Therefore, this development shall comply with the Stormwater and Erosion Control Ordinance, 40.380.

The erosion control ordinance is intended to minimize the potential for erosion and a plan is required for all projects meeting the applicability criteria listed in 40.380.020. This project is subject to the erosion control ordinance.

Finding 13 - Stormwater Proposal

The applicant proposes to manage onsite stormwater by collecting surface runoff from the parking lot to a proprietary water quality treatment vault and convey the flows via storm sewer pipes to an infiltration trench. The roof areas of the proposed building are piped directly to the infiltration trench. The proposed stormwater management facilities are to be privately maintained by the property owner.

A small area of road widening along NE 134th Avenue will drain to an existing catch basin. This area is an impervious gravel shoulder which drains to the catch basin in the existing condition.

Finding 14 –Site Conditions and Stormwater Issues:

The 1972 soil survey of Clark County published by USDA, SCS shows the site to be underlain by Sifton gravelly loam classified by AASHTO as A-2 soils for the depths of 0 to 16 inches below the ground surface (bgs) and A-1 soils for the depths of 16 to 60 inches bgs. Sifton soils are designated as hydrologic group "B". The Stormwater and Erosion Control Ordinance, CCC 40.380, lists A-2- 4, A-2-5, A-1-a, and A-1-b soils as suitable for infiltration. The applicant has provided a soil report prepared by GeoPacific, Inc., dated June 21, 2004, which demonstrates soil suitability for infiltration. This report was prepared by a qualified geo-technical engineer and includes both approved field-testing and laboratory testing. The report provides infiltration test results at one location, with measured infiltration rates in the gravel and cobble materials and recommended that a value of 200 inches per hour be used. Sifton gravel soils have historically produced high infiltration rates, so these results appear reasonable. A value of 100 inches per hour, one half the measured rate, was used for design in accordance with county requirements.

Direct runoff of untreated stormwater from the parking lot and other pollutant-generating surfaces to groundwater shall be prohibited, and the site shall be graded such that stormwater runoff from all newly created impervious surfaces of the site, except roof areas and the frontage roads, is collected and conveyed to approved water quality treatment facilities (see Condition A-9)

In accordance with CCC 40.380.040(B)(8), infiltration of stormwater runoff shall not be allowed on commercial industrial sites that, due to location or the proposed use, pose a significant threat of contamination to groundwater. Because the ultimate use of the site has not been identified, the potential for contamination cannot be determined. Approval for use of infiltration BMP's (RI.05-30 in the BMP manual) on industrial and commercial sites shall be conditioned on all the criteria described in Section CCC 40.380.040(B)(8)(b). Staff believes this project can comply with the requirements of this section as part of the CARA permitting process. (See Findings 15 and 16)

In accordance with Section CCC 40.380.040(C)(1)(h), all lots in the urban area must be designed to provide positive drainage from the bottom of footings to an approved stormwater system (see Condition A-10)

The proposed stormwater management facility is to be privately owned and maintained. In accordance with the requirements of CCC 40.380.040(H)(3)(b), the county may inspect privately maintained facilities for compliance with the requirements of the county stormwater and erosion control ordinance, and take code enforcement action if the facilities are not being properly operated or maintained. The applicant shall provide easements or a covenant acceptable to the county for purposes of inspection of privately maintained facilities. (See Condition A-11)

Conclusion

Based upon the development site characteristics, the proposed stormwater plan, the requirements of the County's stormwater ordinance, and findings above, staff concludes that the proposed preliminary stormwater plan is feasible, subject to conditions. Therefore, the requirements of the preliminary plan review criteria are satisfied.

CRITICAL AQUIFER RECHARGE AREAS:

Finding 15

Based on the County GIS, the property is located within a critical aquifer recharge area (CARA), Category II. The Clark County Critical Aquifer Recharge Areas Ordinance (CCC 40.410) regulates land uses which may be injurious to public water supplies.

The applicant has submitted a Phase 1 Environmental Site Assessment report prepared by 3 Kings Environmental, dated May 31, 2004, with the application. This report concludes that during the course of interviews, records research and database investigation no obvious indications of environmental risks were found except for a single 55-gallon drum which appears to contain a "tar-like material and water." While this report is helpful in evaluating potential environmental risk factors on the site, it does not comply with the requirements of CCC 40.410.030(B).

A CARA narrative was submitted as an addendum to the application (see Exhibit 9) which provides a description of site soils, activities which are potential sources of groundwater contamination, and identifies best management practices (BMPs) that are proposed to prevent groundwater contamination from the operations on this site. Staff finds the narrative meets the requirements for a Level 1 Site Evaluation Report, as described by the criteria given in CCC 40.410.030(B), subject to the provision of required amendments described below.

Finding 16

The narrative states that no specific tenant for the proposed light industrial has been identified, although uses such as automotive repair and maintenance or light manufacturing are allowed by the zoning. Because the CARA ordinance regulates land uses, the applicant was advised that it would be necessary to assign one defined use, or revise the application to address all of the potential BMP's that might be required for the wide range of allowable land use activities permitted in the light manufacturing category. The applicant then declared that the site would be treated as an automotive maintenance or repair facility for the purposes of the CARA permit. In the event the site is developed for a use other than as an automotive maintenance or repair facility, the applicant shall demonstrate compliance with the provisions CCC 40.410 during the review and approval of tenant improvement plans. (See Condition B-1)

Vehicle maintenance and repair facilities are required to provide an API or CPS-type oil/water separator, as specified in CCC 13.25.210 (5) and Section IV-2.4.9 (Vehicle Maintenance and Repair) of the BMP Manual. Stormwater runoff from all newly created impervious surfaces of the site, except roof areas, the access drive, and public roadways shall be routed to an API or CPS-type oil/water separator prior to discharge to the proposed stormwater treatment and disposal facilities. (See Condition A-12)

The Site Evaluation Report shall be amended to include a description of the recommended operations, materials handling, and employee training procedures which are proposed to minimize the risk of the unintentional release of contaminants to groundwater. The design specifications and recommended operation and maintenance procedures for the oil/water separator shall be incorporated into the Level 1 Site Evaluation Report as an addendum. (See Condition B-2)

The Site Evaluation Report shall include an emergency spill cleanup plan complying with the requirements of Section IV-4.8 of the BMP Manual, which shall be reviewed and approved prior to issuance of the occupancy permit. The approved spill cleanup plan shall be incorporated into the Level 1 Site Evaluation Report as an addendum. (See Condition B-3)

Copies of the complete Site Evaluation Report, including addendums and signed by a qualified groundwater professional or professional civil engineer registered in the State of Washington, shall be submitted to Clark County and the tenant prior to issuance of the occupancy certificate (see Condition D-3).

Conclusion

Based upon the development site characteristics, the requirements of the County's stormwater and critical aquifer areas ordinance, and findings above, staff concludes that the proposed development plan is feasible subject to conditions. Therefore, the requirements of the preliminary plan review criteria are satisfied.

FIRE PROTECTION:

Finding 17

The site is located in Clark County Fire District 6. If there are any questions regarding the following review, please contact Tom Scott (in the Fire Marshal's Office) at (360) 397-2375, extension 3323:

- a. Building construction occurring subsequent to this application shall be in accordance with the provisions of the county's building and fire codes. Additional specific requirements may be made at the time of building construction as a result of the permit review and approval process. (See Condition B-4)
- b. Fire flow in the amount of 1,000 gallons per minute supplied for two hours duration is required for this application. The required fire flow is available to the site. Water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to the commencement of combustible building construction. The indicated number and spacing of fire hydrants is adequate. (See Condition C-1)
- c. Fire apparatus access is required for this application. The roadways and maneuvering areas as indicated in the application adequately provide required fire apparatus access.

UTILITIES:

Finding 18

The applicant has submitted utility reviews from the City of Vancouver indicating that public water and sewer is available to the subject site. The applicant should comply with any requirements of the purveyor. (See Condition E-8)

IMPACT FEES:

Finding 19

Traffic Impact Fees (TIF) apply to the proposal which is located within the Orchards Transportation Subarea. TIF for the proposed building as a light industrial use is **\$2,443.86** (reference IFC2004-00061). However, for an auto repair use there is no TIF category and an Independent fee calculation would be needed.

Please contact Richard Gamble at 397-6118, Ext. 4384 for further questions regarding the TIF. If the application is more than three years following the site plan approval, the Impact Fees will be recalculated according to the then current ordinance. (See Condition B-5)

Decision

Based upon this review, the Development Services Manager hereby **APPROVES** this request with the understanding that the applicant is required to adhere to all applicable codes and laws, and is subject to the following conditions of approval:

Conditions of Approval

A. Conditions that must be met prior to Final Site Plan Approval:

- A-1 The final site plan shall identify an eight-foot handicap access aisle for the handicap parking space (see Finding 2a).
- A-2 The final site plan shall clearly identify if the proposed storm drain trench/catch basin is located underground (see Finding 2b).
- A-3 The final site plan shall identify striping as well a different paving type, elevation change, or other acceptable method of the notifying drivers of a crosswalk for pedestrian access from NE 134th Street (see Finding 2c).
- A-4 The final site plan shall identify that the site meets the 20 percent landscape requirement in the ML Zone (see Finding 2d).
- A-5 The final site plan shall identify screening of the solid waste/recycling enclosure to an F2 standard (see Finding 2e)
- A-6 The final landscape plan shall identify L3 landscape standards along the north and west property lines and because the building wall will provide some screen itself, the landscaping can be reduced to an L2 Standard in front of building walls (see Finding 3c).

- A-7 Frontage improvements on SR 500, if required, are subject to the requirements of the Washington State Department of Transportation, WSDOT, (see Finding 8).
- A-8 The applicant shall provide partial-width improvements along NE 134th Avenue in accordance with the requirements of CCC Table 40.350.030-6 and the Standard Details Manual, Drawing #22, except that the minimum half-width roadway shall be 18 feet. In accordance with CCC 40.350.030(B)(15), the pavement structural section shall comply with that required of a minor arterial road. (See Finding 8)
- A-9 Direct runoff of untreated stormwater from the parking lot and other pollutant-generating surfaces to groundwater shall be prohibited, and the site shall be graded such that stormwater runoff from all newly created impervious surfaces of the site, except roof areas and the frontage roads, is collected and conveyed to approved water quality treatment facilities (see Finding 14).
- A-10 The proposed building must be designed to provide positive drainage from the bottom of footings to an approved stormwater system (see Finding 14).
- A-11 Easements or a covenant acceptable to the county shall be provided to the county for purposes of inspection of privately maintained facilities (see Finding 14).
- A-12 Stormwater runoff from all newly created impervious surfaces of the site, except roof areas, the access drive, and public roadways, shall be routed to an API or CPS-type oil/water separator prior to the proposed stormwater treatment and disposal facilities (see Finding 16).

B. Conditions that must be met prior to issuance of Building Permits

- B-1 In the event the site is developed for a use other than as an automotive maintenance or repair facility, the applicant shall demonstrate compliance with the provisions CCC 40.410 during the review and approval of tenant improvement plans (see Finding 16).
- B-2 The Site Evaluation Report shall be amended to include a description of the recommended operations, materials handling, and employee training procedures which are proposed to minimize the risk of the unintentional release of contaminants to groundwater. The design specifications and recommended operation and maintenance procedures for the oil/water separator shall be incorporated into the Level 1 Site Evaluation Report as an addendum. (See Finding 16)
- B-3 An emergency spill cleanup plan complying with the requirements of Section IV-4.8 of the BMP Manual shall be reviewed and approved prior to issuance of the occupancy permit. The approved spill cleanup plan shall be incorporated into the Level 1 Site Evaluation Report as an addendum. (See Finding 16)
- B-4 Building construction occurring subsequent to this application shall be in accordance with the provisions of the county's building and fire codes. Additional

specific Fire Marshal related requirements may be made at the time of building construction as a result of the permit review and approval process.

- B-5 A Traffic Impact Fee of **\$2,443.86** based on the proposal (reference IFC2004-00061). However, for an auto repair use there is no TIF category and an Independent fee calculation would be needed. TIF will be required prior to building permit issuance. If application for a building permit is more than three years following site plan approval, the Impact Fees will be recalculated according to the then current ordinance. (see Finding 19)

C. Conditions that must be met prior to Construction

- C-1 Water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to the commencement of combustible building construction. Fire hydrants shall be installed per Fire Marshal standards with locations approved by the Fire District Chief. (see Finding 17b)

D. Conditions that must be met prior to issuance of Occupancy Permits

- D-1 Construction of the proposal including roadway, landscaping, screening, stormwater facilities, parking (striping), paving, and other improvements as shown on final site, landscape, and engineering plans is required.
- D-2 The corner sight distances shall remain unobstructed after completion of the project, in accordance with the provisions of Section CCC 40.350.030(B)(8) (see Finding 10).
- D-3 Copies of the complete Site Evaluation Report, including addendums and signed by a qualified groundwater professional or professional civil engineer registered in the State of Washington, shall be submitted to Clark County and the tenant prior to issuance of the occupancy certificate (see Condition 16)

E. Standard Conditions

This development proposal shall conform to all applicable sections of the Clark County Code. The following conditions shall also apply:

- E-1 Site Plans and other land use approvals:**
Within 5 years of preliminary plan approval, a Fully Complete application for a building permit shall be submitted.
- E-2 Lighting:**
No outdoor lighting (from the subject site) may glare onto adjacent properties or roadways.
- E-3 Pre-Construction Conference:**
Prior to construction or issuance of any grading or building permits, a pre-construction conference shall be held with the County.

E-4 Erosion Control:

- a. Prior to construction, the applicant shall submit and obtain County approval of a final erosion control plan designed in accordance with CCC 13.29.
- b. Prior to construction, erosion/sediment controls shall be in place. Sediment control facilities shall be installed that will prevent any silt from entering infiltration systems. Sediment controls shall be in place during construction and until all disturbed areas are stabilized and any erosion potential no longer exists.
- c. Erosion control facilities shall **not** be removed without County approval.

E-5 Excavation and Grading:

- a. Excavation/grading shall be performed in compliance with Appendix Chapter 33 of the Uniform Building Code (UBC).
- b. Site excavation/grading shall be accomplished, and drainage facilities shall be provided, in order to ensure that building foundations and footing elevations can comply with CCC 14.04.252.

E-6 Transportation:

Prior to construction, the applicant shall submit and obtain County approval of a final transportation design in conformance to CCC 40.350.

E-7 Stormwater:

Prior to construction, the applicant shall submit and obtain County approval of a final stormwater plan designed in conformance to CCC 40.380.

E-8 Utilities:

The applicant shall comply with all purveyor requirements.

E-9 Cultural Resources:

If any cultural resources are discovered in the course of undertaking the development activity, the Office of Archaeology and Historic Preservation in Olympia and Heritage Trust of Clark County should be notified. Failure to comply with these State requirements may constitute a Class C felony, subject to imprisonment and/or fines.

E-10 Landscaping:

Prior to the issuance of an approval of occupancy for a site plan, the applicant shall submit a copy of the approved landscape plan(s) with a letter signed and stamped by a landscape architect licensed in the state of Washington certifying that the landscape and irrigation (if any) have been installed in accordance with the attached approved plan(s) and verifying that any plant substitutions are comparable to the approved plantings and suitable for the site.

E-11 Signs:

For all proposed advertisement signs, the applicant shall make application for a separate sign permit site pursuant to CCC 40.310.

Note: The Development Services Manager reserves the right to develop a complete written report and findings of fact regarding this decision, if appealed.

An **appeal** of any aspect of this decision shall be filed with the Department of Community Development within fourteen (14) calendar days from the date the notice of final land use decision is mailed to parties of record. This decision was issued on November 12, 2004. Therefore any appeal must be received in this office by 4:30 PM, November 26, 2004.

APPEAL FILING DEADLINE

Date: November 26, 2004

Any appeal of the final land use decisions shall be in writing and contain the following:

1. The case number designated by the County and the name of the applicant;
2. The name and signature of each person or group (petitioners) and a statement showing that each petitioner is entitled to file an appeal as described under Clark County Code, Section 18.600.100 (A). If multiple parties file a single petition for review, the petition shall designate one party as the contact representative with the Development Services Manager. All contact with the Development Services Manager regarding the petition, including notice, shall be with this contact person;
3. The specific aspect(s) of the decision being appealed, the reasons why each aspect is in error as a matter of fact or law, and the evidence relied on to prove the error; and,
4. A check in the amount of \$1,070.00 (made payable to the Department of Community Development).

The appeal/fee shall be submitted to the Community Development Department, Customer Service Center, between 8:00 a.m. and 4:30 p.m. Monday through Friday.

A copy of the approved preliminary plan and Clark County Code are available for review at:

**Department of Community Development
1300 Franklin Street
P.O. Box 9810
Vancouver, WA 98666-9810
Phone: (360) 397-2375; Fax: (360) 397-2011**

A copy of the Clark County Code is also available on our Web Page at:

<http://www.co.clark.wa.us>